



# Frequently Asked Questions about Municipal Stormwater

from Ecology's Water Quality Program

## ***What is stormwater and why is it a problem?***

Stormwater is the water that runs off surfaces such as rooftops, paved streets, highways, and parking lots. As stormwater runs off these surfaces, it picks up pollution such as oil, fertilizers, pesticides, pet waste, and trash.

Stormwater usually runs untreated into lakes, streams, rivers and bays.

Stormwater can harm human health, drinking water, and fish habitat.

Stormwater is the leading contributor to water quality pollution of urban waterways.

## **Secondary Permittees for Municipal Stormwater Permits**

### **Q: How is Ecology regulating municipal stormwater?**

**A:** In 1987, Congress changed the Clean Water Act to include stormwater discharges in the National Pollutant Discharge Elimination System (NPDES) permit program. The Environmental Protection Agency (EPA) developed rules to implement the new stormwater requirements in two phases called Phase I and Phase II. Ecology implements these stormwater rules through municipal stormwater permits. Ecology is in the process of reissuing the Phase I permit for jurisdictions serving over 100,000 people. In 1999, EPA issued the Phase II stormwater permit regulations to cover stormwater discharges in urbanized areas that serve smaller populations. For the first time, Ecology is issuing Phase II permits. Eastern and Western Washington have separate Phase II permits. Ecology is also issuing a separate municipal stormwater permit for the Washington State Department of Transportation.

### **Q: What is a municipal separate storm sewer system (MS4)?**

**A:** It is a conveyance or a system of conveyances (includes roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is:

- Owned or operated by a public entity such as a city, town, county, or special purpose district established by the state,
- Designed or used for collecting and conveying stormwater,
- NOT a combined sewer, **and**
- NOT part of a Publicly Owned Treatment Works.

For both Phase I and Phase II jurisdictions, the EPA rules require operators of **MS4s** to develop and implement a ***stormwater management program*** that:

- Reduces the discharge of pollutants to the "maximum extent practicable."
- Protects water quality.
- Satisfies appropriate requirements of the Clean Water Act.

### **Q: What is a secondary permittee?**

**A:** A secondary permittee is a public entity or special purpose district such as a sewer district, flood control district, port, public university or college, prison complex, drainage district, or parks and recreation district. Under EPA's rules, special purpose districts that own or operate a MS4 must get a permit to discharge stormwater. In Ecology's municipal stormwater permits, special purpose districts are also called secondary permittees. Storm sewer systems in very discrete areas such as individual buildings do not require permit coverage.



**Q: How do I determine whether my storm sewer system is in an area covered by these permits?**

**A:** The permit requirements apply to **limited geographic areas in Washington**. For cities, the permit is applicable throughout the entire incorporated area of the city. For the Clark, King, Pierce, and Snohomish counties (the Phase I counties), the geographic area covered by the permit is the entire unincorporated county. For Asotin, Benton, Chelan, Cowlitz, Douglas, Franklin, Kitsap, Skagit, Spokane, Thurston, Walla Walla, Whatcom, and Yakima counties (the Phase II counties), the permit is applicable throughout the “urbanized areas” defined by the 2000 Census and the associated urban growth areas that are under the jurisdictional control of the county. To see maps of the “urbanized areas” defined by the 2000 Census, see Ecology’s web site at: [http://www.ecy.wa.gov/programs/wq/stormwater/phase\\_2/maps.html](http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/maps.html).

The geographic area(s) covered by these permits include:

- **Western Washington Phase I Permit** includes the entire unincorporated areas of Clark, King, Pierce, and Snohomish counties and the cities of Seattle and Tacoma.
- **Western Washington Phase II Permit** applies to portions of Cowlitz, Kitsap, Skagit, Thurston, and Whatcom counties.

**Western Washington Phase II Permit** also applies to the following cities and towns: Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale, Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mount Vernon, Mountlake Terrace, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Angeles, Port Orchard, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point.

- **Eastern Washington Phase II Permit** applies to portions of Asotin, Benton, Chelan, Douglas, Franklin, Spokane, Walla Walla, and Yakima counties.

**Eastern Washington Phase II Permit** also applies to the following cities and towns: Asotin, Clarkston, East Wenatchee, Ellensburg, Kennewick, Liberty Lake, Millwood, Moses Lake, Pasco, Pullman, Richland, Selah, Spokane, Spokane Valley, Sunnyside, Union Gap, Walla Walla, Wenatchee, West Richland, and Yakima.

**Q: What do the permits require?**

**A:** The permits require the development and implementation of a *stormwater management program* to control discharge into and from your MS4. A stormwater management program includes six minimum elements all designed to reduce the discharge of pollutants from the municipal separate storm sewer system to the maximum extent practicable. The elements include: public education and outreach, public involvement and participation, illicit discharge detection and elimination, construction site stormwater runoff control, post construction stormwater management for new development and redevelopment, and pollution prevention/good house-keeping for municipal operations.

The permits allow and encourage you to form partnerships with the local city or county in order to meet permit requirements.

**Q: How and when do I apply for coverage?**

**A:** To get a permit, you must complete an application, also called a notice of intent (NOI), and submit it to Ecology. Ecology has not set a date when NOIs are due from secondary permittees. According to EPA deadlines, the NOIs or applications are past due for both Phase I and Phase II permits. Ecology recommends those special purpose districts or public entities that are regulated by the permits apply for coverage as soon as possible. The permit fee for secondary permittees covered by the permit is \$1500 per year. Ecology bills for permit fees only after the final permit is effective.

**Q: Can I share permit responsibilities with another permittee?**

**A:** Yes. The permits allow you to share permit responsibilities with another permittee. Using partnerships to meet permit requirements is frequently more cost-effective and often more effective. You can rely on entities already performing some of the required measures to do them on your behalf. Your partner may be an adjacent city, county, or even another secondary permittee. If you choose to form a partnership, you will need a legally written agreement between you and your partner. Partners may apply jointly or separately for permit coverage. Either way, you will need to identify which entity is responsible for what. Finally, even with a partnership, you are still responsible for making sure permit requirements are completed.

**Q: How can I learn more?**

**A:** Ecology will host a series of general workshops as well as workshops specifically targeted for secondary permittees. The two workshops for secondary permittees will be held at the following locations from 1 pm to 5 pm on the dates listed:

Tuesday, March 14, 2006  
Hal Holmes Community Center  
209 North Ruby Street  
Ellensburg, WA

Tuesday, March 28, 2006  
Lacey Community Center  
6729 Pacific Ave. SE  
Lacey, WA

For additional workshop locations and times, please consult the municipal stormwater web page:

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/index.html>

**Q: Who do I contact if I have questions?**

**A:** If you have any questions about the potential permitting requirement for your district, or about the permits themselves, please contact the Ecology staff person who covers your county:

- Skagit or Whatcom counties,  
contact Steve Hood at (360) 738-6254
- King, Kitsap, or Snohomish,  
contact Ed Abassi at (425) 649-7227
- Clark, Cowlitz, Clallam, Grays Harbor, Pierce, or Thurston counties,  
contact Garin Schrieve at (360) 407-6272
- Benton, Chelan, Kittitas or Yakima counties,  
contact Terry Wittmeier at (509) 574-3991
- Asotin, Douglas, Franklin, Grant, Spokane, Walla Walla, or Whitman counties,  
contact Dave Duncan at (509) 329-3554

You can access more information on this topic through Ecology's web site. The address is:

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/secondary.html>

*If you need this information in an alternate format, please call the Program Development Services Section Secretary at 360-407-6401. If you are a person with a speech or hearing impairment, call 711 for relay service or 800-833-6388 for TTY.*